

Office of Civil Rights

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Bureau of the Census,
U.S. Department of Commerce
No FEAR Act EEO Complaint Data

This is a report of No FEAR ACT data. The report excludes decennial Census data.

- [Interim EEOC Rule](#)
- [Information on the No FEAR Act](#)
- [No Fear Act Data on the EEOC website \(includes information on EEOC Hearing and Appeals processing\)](#)

Data last updated: April 6, 2009

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1. Complaint Activity

	2001	2002	2003	2004	2005	2006	2007	2008	1st Q. 2009
Number of complaints Filed	78	75	52	44	54	45	54	45	29
Number of complaints Pending any time in the FY	71	64	48	43	51	44	51	42	27
Repeat Filers	7	8	3	1	3	1	3	3	2

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2. Complaints By Basis

Note: complaints can be filed alleging multiple bases. The sum of the bases may not equal total complaints filed.

	2001	2002	2003	2004	2005	2006	2007	2008	1st Q. 2009
Race	30	37	28	27	13	24	26	24	12
Color	9	13	5	2	2	6	7	5	1
Religion	2	8	3	2	6	2	2	1	1
Reprisal	38	44	28	19	23	22	25	27	15
Sex	33	34	18	13	13	12	19	8	7
National Origin	5	9	3	3	8	8	5	2	5
Equal Pay Act	0	0	0	0	1	0	0	1	0
Age	33	20	18	19	23	16	27	15	12
Disability	21	32	19	25	22	12	16	10	9
Non-EEO	0	1	1	2	1	0	0	1	0

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3. Complaints By Issues

Note: complaints can be filed alleging multiple Issues. The sum of the Issues may not equal total complaints filed.

	2001	2002	2003	2004	2005	2006	2007	2008	1st Q. 2009
Appointment/Hire	1	6	5	2	5	1	4	2	1
Assignment of Duties	10	6	5	7	10	9	10	9	2
Awards	1	4	3	6	2	5	1	5	0
Conversion to Full Time	1	0	0	0	0	0	0	0	0
Discipline: Demotion	2	1	0	1	0	0	0	0	0
Discipline: Reprimand	1	3	1	1	1	4	6	1	3
Discipline: Removal	0	0	0	0	0	0	0	0	1
Discipline: Suspension	3	1	3	2	0	1	0	2	3
Discipline: Other	0	0	1	0	0	0	1	0	0
Duty Hours	0	0	1	1	0	0	0	0	1
Evaluation/Appraisal	4	5	4	1	1	3	5	8	3

Examination/Test	0	0	0	0	0	0	0	0	0
Harassment: Non-sexual	18	15	19	13	15	12	21	14	11
Harassment: Sexual	3	3	3	2	1	1	1	4	1
Medical Examination	0	0	0	0	0	0	0	0	0
Pay Including OT (overtime)	2	1	0	1	0	0	0	1	0
Promotion/Non-selection	18	30	12	9	11	6	11	13	7
Reassignment: Denied	1	0	1	1	1	0	0	2	0
Reassignment: Directed	2	3	0	1	0	3	4	0	0
Reasonable Accommodation	3	4	4	2	7	6	7	3	2
Reinstatement	0	0	0	0	0	0	0	0	0
Retirement	0	1	0	1	0	0	0	0	0
Termination	14	10	0	4	9	13	13	12	6
Terms/Conditions of Employment	3	1	6	2	14	3	1	2	0
Time and Attendance	1	1	5	3	2	0	6	5	4
Training	5	2	0	3	1	3	3	4	1
Other	4	1	5	2	1	0	4	3	3

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4. Processing Time

	2001	2002	2003	2004	2005	2006	2007	2008	1st Q. 2009
Complaints pending during fiscal year									
Average number of days in investigation stage	109	90	63	126	164	126	98	114	104
Average number of days in final action stage	n/a	n/a	n/a	n/a	n/a	209	115	105	59
Complaint pending during fiscal year where hearing was requested									
Average number of days in investigation stage	n/a	n/a	n/a	n/a	n/a	139	109	127	67
Average number of days in final action stage	n/a	n/a	n/a	n/a	n/a	14	14	8	28
Complaint pending during fiscal year where hearing was not requested									
Average number of days in investigation stage	n/a	n/a	n/a	n/a	n/a	115	113	100	149
Average number of days in final action stage	n/a	n/a	n/a	n/a	n/a	278	162	109	120

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5. Complaints Dismissed by agency/ Withdrawn by complainants

	2001	2002	2003	2004	2005	2006	2007	2008	1st Q. 2009
Total Complaints Dismissed By Agency	27	20	9	17	14	8	22	16	2
Average Days Pending Prior to Dismissal	162	115	220	116	103	65	55	54	56
Total Complaints Withdrawn by Complainants	27	17	23	21	10	3	6	0	2

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6. Total final Actions Finding Discrimination

	FY 2001: Number	FY 2001: Percent	FY 2002: Number	FY 2002: Percent	FY 2003: Number	FY 2003: Percent	FY 2004: Number	FY 2004: Percent	FY 2005: Number	FY 2005: Percent	FY 2006: Number	FY 2006: Percent	FY 2007: Number	FY 2007: Percent	FY 2008: Number	FY 2008: Percent	1st Q. 2009: Number	1st Q. 2009: Percent
Total Number Findings	0	0	0	0	0	0	1	100	0	0	1	100	0	0	0	0	1	100
Without Hearing	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
With Hearing	0	0	0	0	0	0	1	100	0	0	1	100	0	0	0	0	1	100

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7. Findings of Discrimination Rendered By Basis

Note: complaints can be filed alleging multiple bases. The sum of the bases may not equal total complaints filed.

	FY 2001: Number	FY 2001: Percent	FY 2002: Number	FY 2002: Percent	FY 2003: Number	FY 2003: Percent	FY 2004: Number	FY 2004: Percent	FY 2005: Number	FY 2005: Percent	FY 2006: Number	FY 2006: Percent	FY 2007: Number	FY 2007: Percent	FY 2008: Number	FY 2008: Percent	1st Q. 2009 Number	1st Q. 2009 Percent
Total Number Findings	0	0	0	0	0	0	1	100	0	0	1	100	0	0	0	0	1	100
Race	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Color	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Religion	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Reprisal	0	0	0	0	0	0	1	50	0	0	1	25	0	0	0	0	1	33
Sex	0	0	0	0	0	0	1	50	0	0	1	25	0	0	0	0	1	33
National Origin	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Equal Pay Act	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	34
Age	0	0	0	0	0	0	0	0	0	0	1	25	0	0	0	0	0	0
Disability	0	0	0	0	0	0	0	0	0	0	1	25	0	0	0	0	0	0
Non-EEO	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Findings After Hearing	0	0	0	0	0	0	1	100	0	0	1	100	0	0	0	0	1	100
Race	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Color	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Religion	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Reprisal	0	0	0	0	0	0	1	50	0	0	1	25	0	0	0	0	1	33
Sex	0	0	0	0	0	0	1	50	0	0	1	25	0	0	0	0	1	33
National Origin	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Equal Pay Act	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Age	0	0	0	0	0	0	0	0	0	0	1	25	0	0	0	0	1	34
Disability	0	0	0	0	0	0	0	0	0	0	1	25	0	0	0	0	0	0
Non-EEO	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Findings Without Hearing	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Race	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Color	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Religion	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Reprisal	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Sex	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
National Origin	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Equal Pay Act	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Age	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Disability	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Non-EEO	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

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8 . Findings of Discrimination Rendered by Issue

	FY 2001: Number	FY 2001: Percent	FY 2002: Number	FY 2002: Percent	FY 2003: Number	FY 2003: Percent	FY 2004: Number	FY 2004: Percent	FY 2005: Number	FY 2005: Percent	FY 2006: Number	FY 2006: Percent	FY 2007: Number	FY 2007: Percent	FY 2008: Number	FY 2008: Percent	1st Q. 2009 Number	1st Q. 2009 Percent
Total Number Findings	0	0	0	0	0	0	1	100	0	0	1	100	0	0	0	0	1	100
Appointment/Hire	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Assignment of Duties	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Awards	0	0	0	0	0	0	1	25	0	0	1	33	0	0	0	0	1	50
Conversion to Full Time	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Discipline: Demotion	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Discipline: Reprimand	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Discipline: Suspension	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Discipline: Removal	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Discipline: Other	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Duty Hours	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Evaluation/Appraisal	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Examination/Test	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Harassment: Non-sexual	0	0	0	0	0	0	1	25	0	0	1	33	0	0	0	0	1	50
Harassment: Sexual	0	0	0	0	0	0	1	25	0	0	0	0	0	0	0	0	0	0
Medical Examination	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Pay (including overtime)	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Promotion/Non-selection	0	0	0	0	0	0	0	0	0	0	1	34	0	0	0	0	0	0
Reassignment: Denied	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Reassignment: Directed	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Reasonable Accommodation	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

Reinstatement	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Retirement	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Termination	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Terms/Conditions of Employment	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Time and Attendance	0	0	0	0	0	0	0	1	25	0	0	0	0	0	0	0	0	0	0
Training	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Findings After Hearing	0	0	0	0	0	0	1	100	0	0	1	100	0	0	0	0	1	100	0
Appointment/Hire	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Assignment of Duties	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Awards	0	0	0	0	0	0	1	25	0	0	1	33	0	0	0	0	1	50	0
Conversion to Full Time	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Discipline: Demotion	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Discipline: Reprimand	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Discipline: Suspension	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Discipline: Removal	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Discipline: Other	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Duty Hours	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Evaluation/Appraisal	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Examination/Test	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	50	0
Harassment: Non-sexual	0	0	0	0	0	0	1	25	0	0	1	33	0	0	0	0	0	0	0
Harassment: Sexual	0	0	0	0	0	0	1	25	0	0	0	0	0	0	0	0	0	0	0
Medical Examination	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Pay (including overtime)	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Promotion/Non-selection	0	0	0	0	0	0	0	0	0	0	1	34	0	0	0	0	0	0	0
Reassignment: Denied	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Reassignment: Directed	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Reasonable Accommodation	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Reinstatement	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Retirement	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Termination	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Terms/Conditions of Employment	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Time and Attendance	0	0	0	0	0	0	1	25	0	0	0	0	0	0	0	0	0	0	0
Training	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Findings Without Hearing	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Appointment/Hire	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Assignment of Duties	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Awards	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Conversion to Full Time	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Discipline: Demotion	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Discipline: Reprimand	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Discipline: Suspension	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Discipline: Removal	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Discipline: Other	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Duty Hours	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Evaluation/Appraisal	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Examination/Test	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Harassment: Non-sexual	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Harassment: Sexual	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Medical Examination	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Pay (including overtime)	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Promotion/Non-selection	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Reassignment: Denied	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Reassignment: Directed	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Reasonable Accommodation	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Reinstatement	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Retirement	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Termination	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

Terms/Conditions of Employment	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Time and Attendance	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Training	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

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9. Pending Complaints Filed in Previous Fiscal Years by Status

	2001	2002	2003	2004	2005	2006	2007	2008	1st Q. 2009
Total Complaints from previous Fiscal years	n/a	n/a	n/a	n/a	n/a	45	36	38	37
Total Complainants	n/a	n/a	n/a	n/a	n/a	42	35	35	36
Number complaints pending									
Investigation	n/a	n/a	n/a	n/a	n/a	0	0	0	2
Hearing	n/a	n/a	n/a	n/a	n/a	15	15	12	16
Final Action	n/a	n/a	n/a	n/a	n/a	4	4	13	13
Appeal with EEOC Office of Federal Operations	n/a	n/a	n/a	n/a	n/a	10	10	11	6

10. Complaint Investigations

	2001	2002	2003	2004	2005	2006	2007	2008	1st Q. 2009
Pending Complaints Where Investigation Exceeds Required Time Frames	41	42	52	31	52	24	0	3	0

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